

**SOUTH DAKOTA
COUNSELING**

NOTICE OF FEDERAL CONFIDENTIALITY LAWS

The confidentiality of alcohol and other drug abuse client's records maintained is protected by Federal Law and Regulations. This counselor or program may not say to a person outside the program that a client attends the program, or disclose any information that would identify a client as an alcohol or other drug abuser unless:

1. The client consents in writing, which includes all staff directly related to your care.
2. The disclosure is allowed by a court order.
3. The disclosure is made to medical personnel in a medical emergency.
4. For issues of mandatory reporting; Federal laws and regulations do not protect any information about suspected child abuse or neglect from **initially** being reported under State Law to appropriate State or local authorities. (See 42 U.S.C. 290dd-3 and 42 U.S.C. 290ee-3 for Federal Laws and 42 CFR Part 2 for Federal regulations.) All **initial** information regarding abuse/neglect will be reported to the local DSS office.
5. Federal Law and regulations do not protect any information about a crime committed by a client either at the program or against any person who works for the program, or about any threats to commit such a crime.

Violation of the Federal Confidentiality Law and Regulations by a counselor or program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations.

I have read the above information and understand the provisions.

CLIENT SIGNATURE: _____ DATE: _____

WITNESS SIGNATURE: _____ DATE: _____

••••• **CONFIDENTIAL** •••••

This information has been disclosed to you from records whose confidentiality is protected by Federal Law. Federal regulations prohibit you from making any further disclosure of it without the specific written consent of the person to whom it pertains or as otherwise permitted by such regulation. A general authorization for the release of medical information is not sufficient for this purpose.